

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>BRIAN THOMPSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 2:22-cv-00060-NT</b>
	)	
<b>JOHNSON CONTROLS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**JOINT STATUS REPORT REGARDING DISCOVERY**

Plaintiff Brian Thompson (“Thompson”) and Defendant Johnson Controls, Inc. (“JCI”), (collectively, the “Parties”), by counsel and pursuant to the Court’s Order (Dkt. No. 31), submit this joint status report reflecting the status of discovery in the above-captioned matter. Since the Parties’ May 31, 2023, discovery conference with the Court, the Parties have taken the following actions to resolve their discovery disputes:

1. Counsel for Defendant provided counsel for Plaintiff with a list of birthdates associated with the individuals listed on JCI 860.
  
2. Defendant does not possess a document “similar to ‘JCI 859’” listing Greg Tobias. JCI 859 is comprised of Matt Hall’s direct reports. Counsel for Defendant confirmed that JCI’s WorkDay Application listed Greg Tobias as reporting to another manager, Robert Salem, during the relevant timeframe. Accordingly, Tobias is not included on JCI 859 because WorkDay did not identify him as reporting to Matt Hall (whose business was impacted by the RIF).
  
3. Since the May 31, 2023, discovery conference, Defendant has worked diligently and in good faith to collect the weekly timesheets for four employees over a four-plus year period of time that are in its possession, custody, or control. Defendant’s efforts include the following:

- a. On May 31, 2023, following the Parties' discovery conference, counsel for Defendant immediately contacted counsel for Plaintiff to confirm which timesheets Plaintiff was seeking. Counsel for Plaintiff confirmed that she is seeking timesheets for Greg Tobias, Brian McMahon, Robert Morin, and Gary Laweryson.
- b. That same day, counsel for Defendant contacted JCI employees, including without limitation, Territory Suppression Manager Chris Chapman, Human Resources Manager Christine Worrell, and Service Manager Vicky Allen, regarding their identification and collection of employee timesheets reflecting all of the work performed in Maine by the four identified employees (Greg Tobias, Brian McMahon, Robert Morin, and Gary Laweryson) from 2018 through June 2022.
- c. On May 31, 2023, Counsel for Defendant was instructed that the timesheets were kept locally and should be available in the four identified employees' offices.
- d. During the first two weeks of June, counsel for Defendant exchanged several substantive emails and had several phone conversations with Chapman, Worrell and Allen regarding the location of the timesheets and their ability to locate and provide them.
- e. Following these communications, and as Worrell and Allen worked to locate and provide the requested timesheets, counsel for Defendant remained in regular contact with JCI, Worrell and Allen to ensure that Defendant would be able to fulfill its obligations under the Federal Rules of Civil Procedure and the Court's order.
- f. On June 28, 2023, counsel for Defendant received the following update regarding the timesheets:
  - i. JCI is continuing to locate the 2018 timesheets.
  - ii. JCI has located timesheets from 2019 through March 2020.

- iii. JCI is continuing to locate timesheets from March 2020 – September 2022.
- iv. JCI has located timesheets from October 2022 – February 2023.
- g. Counsel for Defendant anticipates receiving copies of the located timesheets on or around June 30, 2023. Counsel for Defendant will promptly review the timesheets and produce responsive documents to counsel for Plaintiff.
- 4. Plaintiff anticipates it may be necessary to request another discovery conference if the information produced by JCI is not sufficient to determine who did the work previously performed by Thompson after his termination.

Respectfully submitted,

Dated: June 30, 2023

/s/ Laura H. White  
Laura H. White, Esq., Bar No. 4025  
*Attorney for Plaintiff*  
WHITE & QUINLAN, LLC  
62 Portland Rd., Suite 21  
Kennebunk, ME 04043  
(207) 502-7484  
*lwhite@whiteandquinlan.com*

Dated: June 30, 2023

/s/ Aimee B. Parsons  
Aimee B. Parsons, Esq., Bar No. 6395  
*Attorney for Defendant*  
OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.  
Two Monument Square, Suite 703  
Portland, ME 04101  
(207) 387-2963  
*aimee.parsons@ogletree.com*